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GAU 3743

Pages: _____
(Including cover sheet)

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Subject: USCN 08/528,866 PAPER NO 5 MAILED 16 MAY 1998
REQUEST FOR WITHDRAWAL OF A NOTICE OF ABANDONMENT

Messages: TRUE COPY AS FILED WAS 4 PAGES AS ENCLOSED

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

16 May 98

Applicant: Daniel C. Shimek et al
Serial No.: 08/588,866
Filed: 19 January 1996
Title: UNIVERSAL NON-POROUS FIBER REINFORCED COMBUSTION CHAMBER FIREPLACE
Docket No.: RS-025 Art Unit: 3743
Examiner: Carl D. Price
Last Office Action: 27 April 1998 Paper No. 5

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1001 14 MAY 98
GROUP 7000

Honorable Commissioner of Patent & Trademarks
Washington, D.C. 20231

Request For Withdrawal of A Notice of Abandonment

In response to the notice of abandonment dated 27 April 1998, Applicants request that the application be reinstated for the reasons that follow:

REMARKS

After receiving the above-mentioned Notice of Abandonment Applicants' attorney checked his docket and determined that a timely response had been prepared and filed. Applicants' then called the Examiner Mr Carl D. Priceand explained that a response had been timely filed. The Examiner asked for proof including a copy of the return receipt card. The Applicants' attorney then FAXED a copy of the return receipt card together with the first and last page of the Amendmentand called the Examiner to explain that the Amendment had one number in the Serial No. changed.

The Examiner explained that the Amendment had not come to him otherwise he would have found the apparent error. The Examiner requested that a request to withdraw the notice of Abandonment be filed together with a true copy of the Amendment as filed. The Examiner said he would check to see if the Amendment was in the file of USSN 08/538,866.

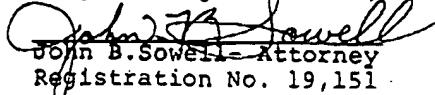
Enclosed please find a true copy of the timely amendment filed by first class mail addressed to the the Commissioner of Patents in Washington, DC 20231 with a certification of mailing stamped thereon.

Applicants respectfully request the the enclosed Amendment be entered and the notice of Abandonment be withdrawn.

Respectfully submitted,

TEL (215) 986-5094

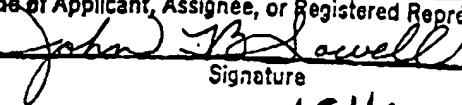
Enclosures


John B. Sowell
Attorney
Registration No. 19,151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 15 MAY 1998

(Date of Deposit)

John B. Sowell
(Name of Applicant, Assignee, or Registered Representative)


Signature

16 MAY 1998
Date of Signature

Notice of Abandonment	Application No. 08/688,868	Applicant(s) SHEMIK ET AL
	Examiner CARL D. PRICE	Group Art Unit 3743

This application is abandoned in view of:

applicant's failure to timely file a proper response to the Office letter mailed on Sep 19, 1997.

A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.

A proposed response was received on _____, but it does not constitute a proper response to the final rejection.
(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).

No response has been received.

applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.

The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.

The issue fee has not been received.

applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.

The proposed new formal drawings filed _____ are not acceptable.

No proposed new formal drawings have been received.

the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.

the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

the decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

the reason(s) below:

USPO INFO COPY

CARL D. PRICE
PRIMARY EXAMINER
ART UNIT 3743

The late and stamp of the USPO herein
is acknowledgement of receipt of an
AMENDMENT in re U.S. 510,681 S.3.E., 866
entitled Universal Non-Plastic Fiber Reinforced
Combustion Chamber Firing Piece by Daniel C.
Shemek et al Docket R5-025
Filed with certification 20 Jan 1998
w/ Return or extension



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